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12-12-1977

# State Funding Of Elementary And Secondary Education

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Office of the Secretary of State  
March Fong Eu

111 Capitol Mall, Room 220  
Sacramento, California 95814

Elections Division  
(916) 445-0820

March 29, 1978

TO: ALL REGISTRARS OF VOTERS/COUNTY CLERKS

FROM: CASHMERE M. APPERSON, ELECTIONS TECHNICIAN

Pursuant to Elections Code 3520(b) you are hereby notified that the total number of signatures to the hereinafter named proposed initiative constitutional amendment filed with all county clerks is less than 100 per cent of the number of qualified voters required to find the petition sufficient.

Title: State Funding of Elementary and  
Secondary Education

Summary date: December 9, 1977

Proponent: Richard L. Mudgett

The petition has failed and no further action is necessary.

March 29, 1978

Office of the Secretary of State  
Sacramento, Calif

This is to inform you that  
the Initiative called "State funding of Elementary  
& Secondary Education Initiative Constitutional  
Amendment" Dated Dec 9, 1977 may be  
considered abanled this date, as our  
New Initiative replaces it.

Tom O'Saffy  
for Press Secy.  
Dick Hendgett.



Office of the Secretary of State  
March Fong Eu

111 Capitol Mall, Room 220  
Sacramento, California 95814

Elections Division  
(916) 445-0820

December 9, 1977

TO ALL COUNTY CLERKS/REGISTRARS OF VOTERS

Pursuant to Section 3513 of the Elections Code, there is transmitted herewith a copy of the Title and Summary prepared by the Attorney General on a proposed Initiative Measure entitled:

STATE FUNDING OF ELEMENTARY AND SECONDARY EDUCATION  
INITIATIVE CONSTITUTIONAL AMENDMENT

Circulating and Filing Schedule

1. Minimum number of signatures required . . . . . 499,846  
Constitution II, 8(b).
2. Official Summary Date . . . . . Friday, 12/9/77  
Elections Code Section 3513.
3. Petition Sections:
  - a. First day Proponent can circulate  
Sections for signatures . . . . . Friday, 12/9/77  
Elections Code Section 3513.
  - b. Last day Proponent can circulate and  
file with the county. All Sections are  
to be filed at the same time within each  
county . . . . . Monday, 5/8/78  
Elections Code Sections 3513, 3520(a).
  - c. Last day for county to determine total  
number of signatures affixed to petition  
and to transmit total to Secretary of  
State . . . . . Monday, 5/15/78

(If the Proponent files the petition with the county on a date prior to 5/8/78, the county has 5 working days from the filing of the petition to determine the total number of signatures affixed to the petition and to transmit this total to the Secretary of State.)  
Elections Code Section 3520(b).

- d. Last day for county to determine number of qualified electors who have signed the petition, and to transmit certificate, with a blank copy of the petition to the Secretary of State . . . . . Tuesday, 5/30/78

(If the Secretary of State notifies the counties to determine the number of qualified electors who signed the petition on a date prior to 5/15/78, the last day is not later than the fifteenth day after the notification.)  
Elections Code Section 3520(d), (e).

- e. If the signature count is between 449,861 and 549,831 then the Secretary of State notifies counties using the random sampling technique to determine validity of all signatures.

Last day for county to determine actual number of all qualified electors who signed the petition, and to transmit certificate, with a blank copy of the petition to the Secretary of State . . . . . Thursday, 6/29/78

(If the Secretary of State notifies the counties to determine the number of qualified electors who have signed the petition on a date prior to 5/30/78, the last day is not later than the thirtieth day after the notification.)  
Elections Code Section 3521(b), (c).

4. Campaign Statements:

Last day for Proponent to file a Campaign Statement of Receipts of Expenditures for period ending 6/5/78 . . . . . Monday, 6/12/78

(If the Secretary of State finds that the measure has either qualified or failed to qualify on a date earlier than 5/8/78, the last date to file is the 35th calendar day after the date of notification by the Secretary of State that the measure has either qualified or failed to qualify. The closing date for this campaign statement is 7 days prior to the filing deadline.)  
Government Code Section 84202.

5. The proponent of the above named measure is:

Richard L. Mudgett  
170 Acacia Way  
Coronado, CA 92118

Telephone (714) 455-2752

WILLIAM N. DURLEY  
Assistant to the Secretary of State  
Elections and Political Reform

  
CASHMERE M. APPERSON  
Elections Technician

CMA:mp

NOTE TO PROPONENT: Your attention is directed to Elections Code Sections 41, 44, 3501, 3507, 3508, 3516, 3517, and 3518 for appropriate format and type considerations in printing, typing and otherwise preparing your initiative petition for circulation and signatures. Your attention is further directed to the campaign disclosure and petition circulating requirements of the Political Reform Act of 1974.

DECLARATION OF MAILING

RE: Initiative Constitutional Amendment -  
State Funding of Elementary and  
Secondary Education  
Project No. 00002105-SA77RF0062

I, Valeska Barham, declare as follows:

I am a citizen of the United States, over the age of 18 years, and not a party to the within action; I reside in the County of Sacramento, State of California; my business address and place of employment is 555 Capitol Mall, Suite 550, Sacramento, CA 95814.

The proponent(s) of the above named measure is

Richard L. Mudgett  
170 Acacia Way  
Coronado, California 92118  
Telephone (714) 455-2752

On the 9th day of December, 1977, I mailed a letter, a true copy of which is attached hereto, to the person(s) above named, in an envelope addressed to him at the address(es) set out immediately below name(s), sealed said envelope(s), and deposited the same in the United States mail at the City of Sacramento, County of Sacramento, State of California, with postage thereon fully prepaid, and there is regular communication between the said place of mailing and the place(s) so addressed.

I declare under penalty of perjury that the foregoing is true and correct.

Executed at Sacramento, California, on December 9, 1977.

Valeska Barham



OFFICE OF THE ATTORNEY GENERAL

**Department of Justice**

555 CAPITOL MALL, SUITE 350

SACRAMENTO 95814

(916) 445-9555

December 9, 1977

Honorable March Fong Eu  
Secretary of State  
925 L Street, Suite 605  
Sacramento, CA 95814

Attention Rico Nannini

Re: Initiative Constitutional Amendment - State  
Scholarships, Our File No. 00002105-SA77RF0062

Dear Mrs. Eu:

Pursuant to the provisions of sections 3505 and 3513 of the Elections Code, you are hereby informed that on this day we mailed to Richard L. Mudgett, proponent, the following title and summary:

STATE FUNDING OF ELEMENTARY AND SECONDARY EDUCATION - INITIATIVE CONSTITUTIONAL AMENDMENT. Requires full state funding by July 1, 1980 to provide equal educational opportunity for all students in grades kindergarten through twelve enrolled in accredited public or private schools of parents' choice. Provides for academic accreditation by commission established by Legislature. Schools so funded must admit students without regard to race, color, nationality, place of origin, or sex, with stated exception. Prohibits sectarian instruction in public but not in private schools. Prohibits use of public funds to support schools not under exclusive control of public school officials, unless specified conditions are met. Financial impact: If this initiative is adopted, it probably would result in a substantial but unknown cost increase.

Enclosed herewith is a declaration of mailing thereof, and a copy of the proposed measure.

**FILED**  
In the office of the Secretary of State  
of the State of California

DEC 12 1977

MARCH FONG EU, Secretary of State  
By *Cesaire M. Apperson*  
Deputy



Hon. March Fong Eu

2

December 9, 1977

According to information available in our records,  
the address and phone number of the proponent of this measure  
are as stated on the declaration of mailing.

Very truly yours,

EVELLE J. YOUNGER  
Attorney General

  
GEOFFREY L. GRAYBILL  
Deputy Attorney General

GLG:vb  
Enc.

## EQUAL EDUCATIONAL OPPORTUNITY SCHOLARSHIPS

AMENDMENT TO ARTICLE IX SECTION 5, 6, AND 8 AND ARTICLE XIII SECTION 21 OF THE CALIFORNIA STATE CONSTITUTION

Delete Section 5 of Article IX and add:

State Supported Equal Opportunity Education

Section 5

Every student in the kindergarten, elementary and secondary schools of California is entitled to an equal educational opportunity. The right to an equal educational opportunity shall not be affected by the wealth or poverty of the school district in which the person to whom the right is guaranteed resides, nor shall the right to an equal educational opportunity be abridged by the Legislature or by any agreement or contract entered into by any individual, school district, or the state.

By July 1, 1980, the Legislature shall establish and maintain an Equal Educational Opportunity Scholarship Fund sufficient to pay for the full cost of providing an equal educational opportunity for all kindergarten, elementary and secondary school students in California who are enrolled in any public school or in any private school qualified pursuant to Sections 5.1 thru 5.3 of this article.

Each student shall be entitled to a share of this Equal Educational Opportunity Fund which shall be equal except for variations deemed appropriate by the Legislature including, but not limited to, those based on age, curriculum and vocational education, area cost factors and educational need.

The parent, parents, guardian or guardians of a person eligible to utilize the Equal Educational Opportunity Scholarship Fund shall have the right, unrestricted by geographic or governmental boundaries, to choose which eligible public or eligible private school the eligible person may attend.

Student shares, herein to be known as Equal Educational Opportunity Scholarships, shall be redeemable at all public schools and at those private schools in compliance with the provisions of Section 5.1 thru 5.3 of this article.

Schools owned and operated by public authorities shall herein be called Public Scholarship Schools. Private schools accepting scholarships under provisions of Sections 5.1 thru 5.3 of this article shall be subject to the provisions of Sections 5.1 thru 5.3 of this article, and shall be called Private Scholarship Schools. Collectively, these schools shall herein be referred to as Scholarship Schools. Scholarship schools shall maintain a minimum number of instructional days per year, to be fixed by the Legislature.

Accreditation of Public and Private Scholarship Schools

Section 5.1

Funds made available from the Equal Educational Opportunity Scholarship Fund may be expended only for the purposes of obtaining educational services from those Scholarship Schools whose academic programs are accredited by an accrediting commission established by the Legislature, membership of which shall include, but not be limited to, representatives of public and private education, business, labor and members of the public at large. The accrediting commission shall use the same accreditation standards for the academic programs of both public and private scholarship schools.

(more)

The full cost of the accredited program of instruction at eligible scholarship schools shall be paid with the Equal Educational Opportunity Scholarship presented to the school of attendance by the parent, parents, guardian, guardians and shall include, but is not limited to, the cost of books and all other educational aids and tools. No additional payment for the accredited program of instruction shall be required of the parent, parents, guardian or guardians of students attending public or private scholar p schools.

#### Enrollment in Scholarship Schools Section 5.2

No person shall be denied enrollment in any school receiving Equal Educational Opportunity Scholarships because of race, color, nationality, place of origin, or sex. Equal Educational Opportunity Scholarships may be used at an eligible public or private scholarship school which traditionally has had a policy of admitting only students of one sex.

The Legislature shall set minimum attendance standards for pupils to remain qualified for Equal Educational Opportunity Scholarships.

#### Testing and Information Section 5.3

The Legislature shall establish a thorough and efficient system of information which shall fully inform the parent, parents, guardian or guardians of school age students, including nonliterate parents and guardians, concerning all relevant characteristics, including achievement data, of scholarship schools located within the geographical area from which the parent, parents, guardian or guardians may choose.

All schools receiving Equal Educational Opportunity Scholarships shall post together in plain view, in their enrollment offices:

- a. Article IX Sections 5 thru 5.4 of the California State Constitution.
- b. The subject school's comparative standing on all basic academic subjects for each grade on a state and national level according to annually administered tests approved by the Superintendent of Public Instruction.

#### Funding for Transportation, Disabilities and Special Educational Needs Section 5.4

The Legislature shall provide additional funds and student-certification requirements for special education, educational handicaps, disabilities and for transportation for students eligible to receive Equal Educational Opportunity Scholarships as deemed appropriate by the Legislature. These said additional funds shall be added to each certified pupil's basic scholarship. The Legislature shall ensure that Federal aid shall, within the limits of Federal law, be employed to advance the objectives of this article.

Article IX Section 6  
Delete paragraphs 3 and 4 of Section 6

(more)